

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF PENNSYLVANIA**

IN RE: ALL-CLAD METALCRAFTERS,  
LLC, COOKWARE MARKETING AND  
SALES PRACTICES LITIGATION

This Document Relates to All Actions

MDL No. 2988  
Master Case No. 2:21-mc-491-NR

**DEFENDANTS' MOTION TO DISMISS  
AND TO STRIKE THE CLASS-ACTION ALLEGATIONS**

Defendants All-Clad Metalcrafters, LLC and Groupe SEB USA, Inc. (“Defendants”), by and through their undersigned counsel, hereby respectfully move the Court to dismiss the putative Class Action Complaints pursuant to Fed. R. Civ. P. 12(b)(6) and to strike the class-action allegations in *Mears v. All-Clad Metalcrafters, LLC, et al*, Case No. 2:21-cv-00505-NR (“California Action”), *Montalvo v. All-Clad Metalcrafters, LLC, et al*, Case No. 2:21-cv-00504-NR (“Florida Action”), and *Murray v. All-Clad Metalcrafters, LLC, et al*, Case No. 2:21-cv-00507-NR (“Georgia Action”), as set forth fully in the accompanying Brief in Support, which is incorporated herein by reference.<sup>1</sup>

Before filing this Motion, and pursuant to Hon. J. Nicholas Ranjan’s Practices and Procedures, counsel for Defendants have made a good-faith effort to meet and confer with Plaintiffs’ counsel to determine whether the identified pleading deficiencies may be cured by amendment, and no agreement was reached. A copy of the certificate of conferral is attached hereto as Exhibit A.

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<sup>1</sup> On February 16, 2021, Defendants filed a Motion to Dismiss in *Egidio v. All-Clad Metalcrafters, LLC, et al*, Case No. 2:21-cv-00506-NR (“Massachusetts Action”) in the District of Massachusetts. The motion was fully briefed and is currently pending before this Court. Defendants respectfully request that the Court rule on that motion as well.

WHEREFORE, for the reasons set forth fully in the accompanying Brief in Support, Defendants All-Clad Metalcrafters, LLC and Groupe SEB USA, Inc. respectfully request that this Court (1) grant this Motion and dismiss Plaintiffs' putative Class Action Complaints in their entirety with prejudice; or (2) to the extent that any of Plaintiffs' claims survive, grant this Motion and strike any and all class-action allegations against Defendants. A proposed Order is attached.

Respectfully submitted,

*/s/ Bridget J. Daley*

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**CERTIFICATE OF SERVICE**

I hereby certify that on this 27th day of August, 2021, a true and correct copy of the foregoing was served upon counsel of record via the Court's Electronic Case Filing system.

/s/ Bridget J. Daley